

EXHIBIT I.10

1 THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 IN RE: NATIONAL :
5 PRESCRIPTION OPIATE : MDL NO. 2804
6 LITIGATION :

7 : CASE NO.
8 THIS DOCUMENT : 1:17-MD-2804
9 RELATES TO ALL CASES: Hon. Dan A. Polster

10 Thursday, April 25, 2019

11 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
12 CONFIDENTIALITY REVIEW

13
14 Videotaped deposition of DAVID A.
15 KESSLER, M.D. (Day 1), taken pursuant to
16 notice, was held at Baron & Budd, 600 New
17 Hampshire Avenue NW, Floor G, Washington, DC
18 20037, beginning at 9:28 a.m., on the above
19 date, before Lisa V. Feissner, RDR, CRR, Notary
20 Public.

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22
23 GOLKOW LITIGATION SERVICES
24 877.370.3377 ph | 917.591.5672 fax
deps@golkow.com

1 case focused on six manufacturers, did you do
2 anything to investigate the full scope of
3 mistakes or missed opportunities by any number
4 of other entities?

5 MR. RAFFERTY: Object to the form,
6 vague.

7 A. It's a broad question. Can you be
8 a little more specific?

9 Q. I meant it to be a broad question.

10 MR. RAFFERTY: Object to the form.
11 You can answer it if you understand
12 what she's asking.

13 THE WITNESS: Well, I think I
14 understand what she's --

15 A. I certainly gave a good -- a good
16 deal of thought to FDA's role in this. We
17 discussed that initially. So I did that. I
18 tried to gain an understanding of -- even
19 though I'm not -- if there's any distributor in
20 the room, I'm not -- I have no opinions on
21 distributors. You can go take the day off.

22 I try to have some understanding of
23 DEA's role. The database has distributor
24 information. I certainly looked at -- for